

## **Remarks**

### **SUMMARY**

Reconsideration of the application is respectfully requested. All pending claims 21 - 25, 28 – 30, 34 – 37 and 41 – 48 have been rejected. Claims 21 – 24, 25, 28, 29, 30, 34, 35, 37, 41, 43, 44-45, and 48 have been amended herein. Claims 42, 46, and 47 have been canceled without prejudice herein. Claims 1-20, 26-27, 31-33, and 38-40 were previously canceled without prejudice. No new matter is added. Entry of the amendments is respectfully requested.

### **CLAIM OBJECTIONS**

In the subject Office Action, the Examiner objected to claims 44 and 46 and requested the Applicant provide support from the specification to clarify the claim limitations. Claim 46 has been canceled, thus rendering the objection to claim 46 moot. Regarding claim 44, Applicants have amended the claim to recite, “...wherein the headend is a local headend that is configured to receive a signal from a master headend.” Support for the claim recitation can be found in at least paragraph [0022] of the published application. Accordingly, Applicants respectfully requests the withdrawal of the objection to claim 44

### **CLAIM REJECTIONS UNDER 35 U.S.C. § 103**

Claims 21 - 25, 28 – 30, 34 - 37, and 41 – 48 stand rejected under 35 U.S.C. § 103 (a) over various combinations of US Patent No. 5,905,942 to Kitamura et al. (“Kitamura”), US Patent No. 5,905,942 to Stoel et al (“Stoel”), US Publication No. 2005/0114906 to Hoarty et

al. (“Hoarty”), US Patent No. 7,606,756 to Zdepski et al. (“Zdepski”), US Patent No. 6,486,907 to Farber et al. (“Farber”), and US Patent No. 5,483,277 to Granger. In particular, claims 21, 22, 24, 28 – 30, 34, 35, and 41 – 43 were rejected over Stoel in view of Kitamura and Zdepski. Claims 23 and 37 were rejected over Stoel in view of Kitamura and Zdepski and further in view of Farber. Claims 25, 36, and 44 – 47 were rejected over Stoel in view of Kitamura and further in view of Hoarty. Finally, claim 48 was rejected over Stoel in view of Kitamura and Zdepski and further in view of Granger. Claims 42, 46, and 47 have been canceled, thus rendering the rejections to claims 46 and 47 moot. Regarding the rejections of claims 21 - 25, 28 – 30, 34 - 37, 41 – 45 and 48, Applicants respectfully traverse the rejections.

“To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. All words in a claim must be considered in judging the patentability of that claim against the prior art.” M.P.E.P. § 2143.03.

Amended claim 21 now recites in part, one or more receiver/decoders within each service module configured “...to provide the video channels to an output interface multiplexer in the service module, the output interface multiplexer configured to provide a same combined signal to each of a plurality of interface units located at each of a plurality of different customer locations..” Note that support for the recitation can be found in at least paragraph [0103] along with Figures 5 and 7 and accompanying description in the published application.

On page 6 of the Office Action, the Examiner has cited the regional common-use block 105 of Kitamura as corresponding to the claimed service module. Note that the regional common-use block 105 of Kitamura includes a “switching means [that] converts the

taken-out video and audio signals with RF (radio-frequency) of a predetermined vacant channel, makes connection to lines of the requesting subscribers and transmits the modulated video and audio signals to the subscribers.” (Kitamura column 2, lines 43 – 47). The regional common-use block 105 is not configured to include one or more receiver/decoders “to provide the video channels to an output interface multiplexer in the service module, the output interface multiplexer configured to provide a same combined signal to each of a plurality of interface units located at each of a plurality of different customer locations.” In fact, there would be no reason for the inclusion of an output interface multiplexer in the regional common use block because in Kitamura multiplexed signals are converted and separated prior to being transmitted to specific subscribers 1 – M. As can be clearly seen from Figure 3, each of the signals that are transmitted from regional common-use block 104 to the subscribers is particularized to the individual subscriber. There is no “same combined signal” provided to “each of a plurality of interface units.”

Stoel is directed to an interactive audio/video distribution system. Stoel does not teach or suggest a service module configured to include one or more receiver/decoders “to provide the video channels to an output interface multiplexer in the service module, the output interface multiplexer configured to provide a same combined signal to each of a plurality of interface units located at each of a plurality of different customer locations.”

Zdespski is directed to an interactive television system and method for displaying a graphical user interface using insert pictures. Zdespski does not teach or suggest a service module configured to include one or more receiver/decoders “to provide the video channels to an output interface multiplexer in the service module, the output interface multiplexer

configured to provide a same combined signal to each of a plurality of interface units located at each of a plurality of different customer locations.”

Consequently, the cited references fail to teach or suggest all elements of claim 21, as required under M.P.E.P. § 2143.03. Independent claim 34 includes similar elements as independent claim 21, and is allowable for analogous reasons. Accordingly, Applicants request that the instant §103(a) rejections of claims 21 and 34 be withdrawn. In addition, claims 21 – 25, 28 – 30, 34 – 37, and 41 – 46 and 48 depend from one of claims 21 or 34. Thus, based on this dependency and also based on the recitations contained therein, claims 21 – 25, 28 – 30, 34 – 37, 41, 43 – 45, and 48 are also patentable over the references under 35 USC § 103(a), whether singly or in combination.

**CONCLUSION**

Applicants submit that all pending claims are in a condition for allowance.

Accordingly, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (206) 622-1711. If any fees are due in connection with filing this paper, the Commissioner is authorized to charge the Deposit Account of Schwabe, Williamson and Wyatt, P.C., No. 50-0393.

Respectfully submitted,  
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